

Application No.: 10/541,961
Am dt dated: February 13, 2007
Reply to Office action of September 13, 2006

REMARKS/ARGUMENTS

Claims 1-12, 14, 16-30, and 33, 35-40 are pending in the Application. Claims 13, 15, 31, 32, 34 and 41-42 are canceled without prejudice. Claims 1, 14, 26 and 33 have been amended.

Objections to the Specification: The Specification has been amended as requested by the Office action, to substitute “KRATON polymer” for Kraton (or Krayton). No new material has been added.

Objections to the Abstract: The Abstract has been amended to reduce the length, as required by the Office action.

§ 112 Claim Rejections: Claims 14 and 26 have been amended to clarify the claimed subject matter. Claim 32 has been canceled.

§ 103 Claim Rejections: The two independent claims currently pending in the Application have been amended to incorporate previously dependent claims, claims 15 and 34. Accordingly, only the §103 rejections asserted against claims 15 and 34 are addressed. Applicants respectfully submit that the Office action fails to make a *prima facie* case of obviousness under §103.

The Office action acknowledges that Kees '438 fails to teach the use of a coating on the jaws of a clip, but cites Davis '786 (col. 5, lines 63-68) as teaching a stainless steel or titanium ligating clip that can have a “sticky coating” to improve traction. The Office action further notes that “soft elastomers are well known in the art to be a sticky coating” and that it is “well known” that stainless steel and titanium materials “comprise a thin layer of oxide coating that makes them less prone to

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corrosion." Thus, the action concludes, it would have been obvious to one of skill in the art to coat the jaws of the clip to improve traction and that the remainder of the clip is inherently coated with a thin oxide coating.

Applicants respectfully submit that both independent claims 1 and 26 recite coatings that provide both improved traction ("traction-enhancing") and padding ("atraumatic" coating). The Office action points to no teaching or suggestion in the prior art as to this latter limitation. Accordingly, Applicants respectfully submit that the Office action fails to make a *prima facie* case of obviousness.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Accordingly, reconsideration of the application and allowance of claims 1-12, 14, 16-30, and 33, 35-40 are respectfully requested. Applicant also respectfully submits that the features, e.g., a sticky, padded coating or coatings, are merely exemplary and/or illustrative and does not disavow any claim scope or define any elements or terms in the claims in such a way other than as recited or provided in the claims and their equivalents. Likewise, any characterization of the features in relation to the claims are merely exemplary and/or illustrative and thus Applicant does not disavow any claim scope or specially define any elements or terms in the claims in such a way other than as recited or provided in the claims and their equivalents. If the

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Examiner should have any remaining questions or objections, a telephone interview to discuss and resolve these issues is respectfully requested.

Sincerely

APPLIED MEDICAL RESOURCES

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